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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/773,861	02/06/2004	Linda Gottfried	0093-1 CIP	1921

25901 7590 04/16/2009
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EXAMINER

LUU, LE HIEN

ART UNIT	PAPER NUMBER
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2441

MAIL DATE	DELIVERY MODE
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04/16/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DECISION ON PETITION ROUTING SLIP

Application No.:

10/773,861 10/773861
10366187 *10366187*

Art Unit: 2441

2121

For Director's Secretary:☐ **Granted**☐ **Denied**☒ **Dismissed**☐ Decision to be reviewed and signed by Director☒ Mail Decision & enter decision in ~~Petition Database~~ ^{PALM}☒ Forward a copy of the mailed decision to IFW for scanning☒ Enter Paper Nos. and the decision in ~~PALM~~☐ Othercode 699
MAILED

APR 16 2009

TECHNOLOGY CENTER 2100

For TECH Support Staff:☐ Process and enter Paper Nos.☐ Charge fee to D.A. No☐ Other☒ Forward file to

Quality Assurance Specialist No. 1:	Quality Assurance Specialist No. 2:	Quality Assurance Specialist No. 3:	Quality Assurance Specialist No. 4:
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TECHNOLOGY CENTER 2100

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In re Application of: GOTTFRIED, Linda)
Application No. 10/773,861)
Attorney Docket No. 0093-1 CIP)
Filed: February 6, 2004)
For: METHOD AND SYSTEM FOR)
SHARING BRAND INFORMATION)

**DECISION ON PETITION UNDER 37
C.F.R. § 1.84(a)(2) TO ACCEPT COLOR
DRAWINGS**

This is a decision on the petition under 37 C.F.R. 1.84(a)(2), filed January 25, 2008, requesting acceptance of color drawings

The petition is **DISMISSED**.

REGULATIONS AND PRACTICE

37 C.F.R. § 1.84(a)(2) states:

(2) *Color*. On rare occasions, color drawings may be necessary as the only practical medium by which to disclose the subject matter sought to be patented in a utility or design patent application or the subject matter of a statutory invention registration. The color drawings must be of sufficient quality such that all details in the drawings are reproducible in black and white in the printed patent. Color drawings are not permitted in international applications (see PCT Rule 11.13), or in an application, or copy thereof, submitted under the Office electronic filing system. The Office will accept color drawings in utility or design patent applications and statutory invention registrations only after granting a petition filed under this paragraph explaining why the color drawings are necessary. Any such petition must include the following:

- (i) The fee set forth in § 1.17(h);
- (ii) Three (3) sets of color drawings;
- (iii) An amendment to the specification to insert (unless the specification contains or has been previously amended to contain) the following language as the first paragraph of the brief description of the drawings:

The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Office upon request and payment of the necessary fee.

DECISION

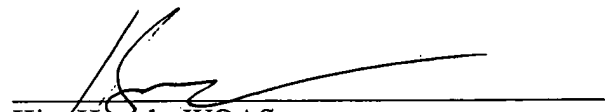
The petition, filed January 25, 2008 properly states the necessity of the color drawings, and provides the required fee. The amendment to the specification filed on November 12, 2008 properly amends the first paragraph of the specification to include the proper reference to the color drawings. The filed color drawings are in the proper format, but upon inspection of the file there are not three copies of each color drawings provided to the Office. *See* 37 C.F.R. § 1.84(a)(2)(ii).

For the above reasons, the petition is **DISMISSED**.

The color drawings filed February 6, 2004 are not accepted at this time.

Any inquiry regarding this decision should be directed the undersigned whose telephone number is (571) 272-3902. If attempts to reach the undersigned by telephone are unsuccessful, Kim Huynh, Quality Assurance Specialist, can be reached at (571) 272-4147.

/kb/



Kim Huynh, WQAS
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